



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

January 13, 2009 – PRELIMINARY

NOTE: FULL VERSION OF THE MINUTES TO FOLLOW

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present

Town Manager Salomone
Lori Verreault, Executive Assistant
Ann Harter, Finance Director
Ben Ancona, Town Attorney
Justin Clark, Counsel – Charter Revision Commission

III PUBLIC PARTICIPATION – IN GENERAL

Sandy Lallier, 27 Elton Drive: Mrs. Lallier commented that there was a good turnout at the public hearing regarding the Charter revision draft held on the previous day. She expressed concern with the order of the agenda for the current meeting and requested that each Councilor state why they are voting for or against the acceptance of the Charter revision.

Carol Anest, 30 Harding Avenue: Ms. Anest stated that the Charter must be able to serve the public for many years and requested that the Council send the draft report back to the Commission for revisions. She stated that this document cannot be taken lightly and errors within the document will cause problems down the road. She requested that a human (rather than a computer) carefully scan the document for errors.

Michael J. Fox, 1901 Main Street: Mr. Fox stated that he does not understand being labeled as a radical at the Public Hearing and he does not understand what is so radical about people commenting against what they think is wrong. He urged the Council to send the draft report back to the Commission for revisions for the good of the Town, not for political promises.

Rose Lyons, 46 Elton Drive: Ms. Lyons shared the technical definition of a radical. She requested that the Council return the draft to the Commission for revision. Ms. Lyons also requested that the referendum to approve the Charter not be held during school vacation. She requested that budget books be made available to the public.

Joyce Lozinski, 21 Red Rock Circle: Ms. Lozinski stated concern that the Town will not see the impact of this Charter revision for ten or more years, and expressed concern over how this Charter will affect the next generation. She requested that the vote on the Charter not be held during school vacation.

Hy Braverman, 39 Churchill Way: Mr. Braverman stated that in order to make an informed decision on the budget voters must have access to line-by-line information in the budget book. He inquired as to why the Council is rushing this process.

Lee Blum, 117 Jeffery Lane: Mr. Blum noted that four former Mayors questioned section 821 during the Public Hearing and had opposed the language as written, even if they agreed with the concept of a budget referendum. He inquired whether the Commission considered other versions of the document and urged the Council not to pass the poorly drafted proposal.

Gail Kelly, 104 Carriage Hill Drive: Mrs. Kelly stated that she is not in favor of the budget referendum, as a budget referendum abdicates the Town Council's responsibility. She inquired about the cost of the referendum and whether the money could be better spent on much-needed essentials.

Mark Pappa, 105 Back Lane, Mr. Pappa stated that the Town will not suffer with a three-percent tax cap, and stated that the referendum process will bring a level of transparency to the budget process. He stated that it will be up to the Council to sell an increase of greater than three-percent to the voters.

IV CONSIDERATION OF OLD BUSINESS

Councilor Bowen moved to change the order of the agenda to address item IV-B-1, Accept Draft as Final Report after addressing item IV-B-2, Any Recommended Changes to the Charter Revision Draft Report. Motion seconded by Councilor Banach. Discussion, including legal opinions by Atty. Clark and Atty. Ancona followed. Mayor Wright requested a roll call vote. Motion failed 4-5 as indicated.

Roll Call Vote:

Councilor Banach – Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright – No

A Emergency Generator – Newington High School: Bid Award

Deputy Mayor Lenares moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Public Building Fund, the amounts listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88909	High School Air Conditioning	\$160,000

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in the Public Building Fund to the following account in the Capital and Non-Recurring Expenditures Fund:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88928	High School Stand-By Generator	\$160,000

BE IT FURTHER RESOLVED:

That John L. Salomone, Town Manager of the Town of Newington, is hereby authorized to execute on behalf of the Town of Newington a grant award from the Department of Public Utility Control for a customer-side distributed generation capital grant for the High School Stand-By Emergency Back-up Generator.

BE IT FURTHER RESOLVED:

That the Newington Town Council pursuant to Chapter 8, Article X, Project Building Committees, of the Newington Code of Ordinances,

- (1) accepts the bid of Holzner Electrical Construction of Bridgeport for emergency generator work at the Newington High School in the amount of \$316,400; and
- (2) authorizes the Town Manager to enter into contact with Holzner Electrical Construction for the amounts indicated in accordance with the Final Project Budget.

Motion seconded by Councilor Boni. Motion passed 9-0.

B	Charter Revision
1	Accept Draft Report as Final Report

Deputy Mayor Lenares moved the following:

WHEREAS, the Town Council has received a draft report from the Charter Revision Commission, through the Town Clerk pursuant to Connecticut General Statutes § 7-191 (b); and

WHEREAS, one public hearing on said draft report was held not later than forty-five days after the submission of the draft report to the Town Clerk; and

WHEREAS, the Town Council has no recommendations for changes in said draft report; and

WHEREAS, the Town Council has complied with all conditions precedent to making said draft report a final report pursuant to Connecticut General Statutes § 7-191;

NOW THEREFORE BE IT RESOLVED, that said draft report is hereby final and the appointing authority shall act on said final report in accordance with Connecticut General Statutes § 7-191.

Motion seconded by Councilor Bottalico. After lengthy discussion Deputy Mayor Lenares agreed to withdraw the motion pending Councilor Cohen's motions for recommended changes to the draft. Councilor Bottalico withdrew his second.

Councilor Cohen made a number of motions for recommended changes to the draft report. Lengthy discussion followed each motion and Mayor Wright requested a roll call vote for each motion.

Councilor Cohen moved all of the following:

WHEREAS, pursuant to Connecticut General Statutes Section 7-191(b), the Newington Town Council, as the appointing authority for the Town of Newington, has received the draft report from the Newington Charter Revision Commission on December 16, 2008; and

WHEREAS, the Newington Town Council is authorized under Section 7-191(b) to “make recommendations to the commission for such changes in the draft report as it deems desirable”; and

WHEREAS, the Newington Town Council desires changes to the draft report;

THEREFORE BE IT RESOLVED, pursuant to Connecticut General Statutes Section 7-191(b), the Newington Town Council hereby makes the following recommendation(s) for change to the draft report of the Newington Charter Revision Commission:

Add to Section 407 of the Charter the following language:

“Tax anticipation notes shall be issued in accordance with Section 812 without public hearing.”

Motion seconded by Councilor Nasinnyk. Motion failed as 2-7.

Roll Call Vote:

Councilor Banach - No

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – No

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Add to Section 408 of the Charter the following language:

In heading: “...and Special Appropriations.”

After existing text “...at a regular election or special election called by the Council for that purpose” new text “...and such majority consists of 10% or more of the total number of qualified electors of the Town whose names appear upon the last completed Registry List.”

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Delete from Section 410 the following:

~~“The ordinance shall not become effective until the same has been approved by a majority of the qualified electors voting thereon at such regular election or special election. The ordinance shall take effect upon approval.”~~

Add to Section 410 the following:

“The ordinance shall be null and void in the event that a majority of the electors voting thereon, such majority consisting of at least 10% of the qualified electors of the town, shall vote in the negative. Otherwise it shall take effect immediately following the referendum.”

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Add to Section 411 of the Charter the following language:

Insert after existing text “The ordinance shall be adopted if a majority of those voting vote in the affirmative” new text “, ...and such majority consists of 10% or more of the total number of qualified electors of the Town whose names appear upon the last completed Registry List.”

If Section 821 of the Charter does not remain in the Charter, delete:

~~“Nothing in this section shall be construed to preclude the right of referendum on a budget pursuant to any other section of this Charter.”~~

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Add to Section 415 of the Charter the following language:

Insert after existing text “...created pursuant to Article VI, §610” new text: “However, no member of the Council or Board of Education shall hold a seat on any Board, Commission or Committee that is intended to be filled by a member of the public.”

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes

Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Add to Section 709 of the Charter the following language:

Insert after existing text “...except those which the Council determines shall be administered by other Commissions” new text “...or Departments.”

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Add to Section 805A of the Charter the following language:

Insert after existing text “...it shall adopt the Town budget by a majority vote of all its members.” new text “*The Council shall simultaneously fix the tax rate in mills which shall be levied on taxable property in the Town for the ensuing fiscal year.*”

Insert after existing text “In the event the Council shall fail to adopt the Town budget on or prior to the date provided, the Manager’s proposed budget as submitted to the Council shall be deemed to have been finally adopted by the Council...” new text “*...as the Town budget, and thereafter expenditures shall be in accordance with said budget. In the event the Council shall fail to fix the tax rate on or prior to the date prescribed, the Manager shall fix said tax rate in mills.*”

If Section 821 of the Charter does not remain in the Charter, delete:

~~“After the budget has been adopted, it shall then be submitted to the electors of the Town for approval or disapproval as prescribed in Section 821.”~~

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

SUBSTITUTE ITEM

Delete from Section 808 of the Charter the following language:

~~“Transfers among any capital projects funds may occur at any time.”~~

Insert as the last sentence of Section 808:

“Transfer of the whole or any part of any unencumbered balance may be made by the Council at any time among any capital projects funds provided that there shall be attached to the resolution making the transfer the certification of the Director of Finance that such balance exists free from encumbrances.

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:
Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

As to Section 821, the Commission is to reconsider the idea of a mandatory budget referendum. Further consideration is to be given to the removal of any language establishing a budget referendum under the Charter. If the Charter is to have a budget referendum, consider language to make it permissive, that is, by way of a petition from electors, and no reference to a mandatory budget cap is to be included, and, remove the language as to a second mandatory referendum.

The Commission is further instructed to review the time parameters set out in Sections 803, 804 and 805A of the Charter to insure all changes made to Section 821 adequately reflect a final budget by June 30.

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:
Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Delete from the last sentence of Section 821A of the Charter the following language:

“...expenditures exceed the total of the current fiscal year’s total expenditures...”

Insert in its place:

“...appropriations exceed the total of the current fiscal year’s total appropriations...”

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:
Councilor Banach - Yes
Councilor Boni – No
Councilor Bottalico – No
Councilor Bowen – Yes
Councilor Cohen – Yes
Councilor Lenares – No
Councilor Nagel – No
Councilor Nasinnyk – Yes
Mayor Wright - No

Delete from the first sentence of Sections 821C of the Charter the following language:

~~“...the real dollar value of the Budget, its...”~~

Insert in its place:

“...total appropriations, estimated revenues from non-tax sources and net adjusted collectible grand list, their...”

Insert as the last sentence of Section 821C:

“If the Budget is adopted in a budget year when the total assessment reflects the revaluation of any real property in the Town from the current year, including any deferred revaluation, the mailed notice shall not include any reference to the mill rate.”

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Delete from the first bullet of Section 821D of the Charter the following language:

~~“here insert real dollar value...”~~

Insert in its place:

“here insert total appropriations...”

After the third bullet of the five bullets, insert:

“If the Budget is adopted in a budget year when the total assessment reflects the revaluation of any real property in the Town from the current year, including any deferred revaluation, the mailed notice shall not include any reference to the mill rate.”

Add the following as additional bullets:

- ***“The estimated revenues from non-tax sources for the adopted fiscal year [here insert fiscal year in bold type] totals \$[here insert the estimated revenues from non-tax sources]. This represents a [here insert percentage in bold type]% [here insert increase or decrease in bold type] from the current year’s budget. [If no increase or decrease, this line should read “This represents no change from the current year’s budget.”]”***
- ***“The net adjusted collectible grand list for the adopted fiscal year [here insert fiscal year in bold type] total \$[here insert the net adjusted collectible grand list]. This represents a [here insert percentage in bold type]% [here insert increase or decrease in bold type] from the current year’s budget. [If no increase or decrease, this line should read “This represents no change from the current year’s budget.”]”***

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Delete from the first sentence of Section 821F of the Charter the following language:

~~“If the Budget is approved by a majority of those electors voting at the referendum...”~~

Insert in its place:

“If the Budget is not rejected by a majority of those electors voting at the referendum and such majority consists of 10% or more of the total number of qualified electors whose names appear upon the last completed Registry List, ...”

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Add after the last sentence of Section 821G:

“After the Council has adopted a Substitute Budget, the Council shall notice and hold a public hearing prior to the referendum referenced in Section 821H.”

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Delete from the next to the last sentence of Section 821H of the Charter the following language:

~~“...total proposed expenditures exceed the total of the current fiscal year’s total expenditures...”~~

Insert in its place:

“...total appropriations exceed the total of the current fiscal year’s total appropriations...”

Motion seconded by Councilor Nasinnyk. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

Delete from the first sentence of Section 821J of the Charter the following language:

~~“...if the Substitute Budget is not approved by a majority of those electors voting at the referendum as provided in Section H, the Council shall adopt a budget and establish...”~~

Insert in its place:

“...if the Substitute Budget is rejected by a majority of those electors voting at the referendums provided in Section H, and such majority consists of 10% or more of the total number of qualified electors whose names appear upon the last completed Registry List, the Council shall notice and hold a public hearing prior to adopting a budget and establishing...”

Delete from the second sentence of Section 821J of the Charter the following language:

~~“...or the Substitute Budget is not approved by a majority of those electors voting at the referendum as provided in Section H,...”~~

Insert in its place:

“...or the Substitute Budget is rejected by a majority of those electors voting at the referendum as provided in Section H, and such majority consists of 10% or more of the total number of qualified electors whose names appear upon the last completed Registry List,...”

Delete from the second sentence of Section 821J of the Charter the following language:

~~“...the Council shall adopt a budget and establish...”~~

Insert in its place:

“...the Council shall notice and hold a public hearing prior to adopting a budget and establishing...”

Delete from the second sentence of Section 821J of the Charter the following language:

~~“...total expenditures shall not exceed the total of the current fiscal year’s expenditures...”~~

Insert in its place:

“...total appropriations shall not exceed the total of the current fiscal year’s appropriations...”

Delete from the final sentence of Section 821J of the Charter the following language:

~~“The Final Budget or the Alternate Final Budget shall include an EDUCATION CIRCUIT BREAKER whereby any increase in Board of Education proposed expenditures shall exceed any increase in non-Board of Education proposed expenditures by 0.5% (e.g., if the non-Board of Education budget increases by 2% the Board of Education budget must increase by no less than 2.5%).”~~

Motion seconded by Councilor Banach. Motion failed 4-5

Roll Call Vote:

Councilor Banach - Yes

Councilor Boni – No

Councilor Bottalico – No

Councilor Bowen – Yes

Councilor Cohen – Yes

Councilor Lenares – No

Councilor Nagel – No

Councilor Nasinnyk – Yes

Mayor Wright - No

The Council reverted back to agenda item IV-B-1,

Deputy Mayor Lenares moved the following:

WHEREAS, the Town Council has received a draft report from the Charter Revision Commission, through the Town Clerk pursuant to Connecticut General Statutes § 7-191 (b); and

WHEREAS, one public hearing on said draft report was held not later than forty-five days after the submission of the draft report to the Town Clerk; and

WHEREAS, the Town Council has no recommendations for changes in said draft report; and

WHEREAS, the Town Council has complied with all conditions precedent to making said draft report a final report pursuant to Connecticut General Statutes § 7-191;

NOW THEREFORE BE IT RESOLVED, that said draft report is hereby final and the appointing authority shall act on said final report in accordance with Connecticut General Statutes § 7-191.

Motion seconded by Councilor Bottalico. Discussion followed. Mayor Wright requested a roll call vote.
Motion passed 5-4.

Roll Call Vote:

Councilor Banach - No
Councilor Boni – Yes
Councilor Bottalico – Yes
Councilor Bowen – No
Councilor Cohen – No
Councilor Lenares – Yes
Councilor Nagel – Yes
Councilor Nasinnyk – No
Mayor Wright – Yes

3 Approval of Proposed Charter

Deputy Mayor Lenares moved the following:

WHEREAS, the Town Council has before it the final report of the Charter Revision Commission, and

WHEREAS, said final report contains a proposed charter drafted pursuant to and in compliance with Chapter 99 of the Connecticut General Statutes; and

WHEREAS, the Town Council has complied with all conditions precedent to approve said proposed charter pursuant to Connecticut General Statutes § 7-191;

NOW THEREFORE BE IT RESOLVED, that pursuant to Connecticut General Statutes § 7-191 (d) the proposed charter is hereby approved.

Motion seconded by Councilor Bottalico. Discussion followed. Mayor Wright requested a roll call vote.
Motion passed 5-4.

Roll Call Vote:

Councilor Banach - No
Councilor Boni – Yes
Councilor Bottalico – Yes
Councilor Bowen – No
Councilor Cohen – No
Councilor Lenares – Yes
Councilor Nagel – Yes
Councilor Nasinnyk – No
Mayor Wright – Yes

4 Set Referendum Date

Councilor Bottalico moved the following:

WHEREAS, the Town Council has approved a proposed charter pursuant to Connecticut General Statutes § 7-191 (d); and

WHEREAS, the Town Council has determined that said proposed charter shall be submitted to the electors for approval or rejection at a special election warned and held for that purpose pursuant to its statutory authority vested in it by Connecticut General Statutes § 7-191 (e); and

WHEREAS, pursuant to Connecticut General Statutes § 7-191 (e), said special election must be held not later than fifteen months after the approval of the proposed charter by the Town Council;

NOW THEREFORE BE IT RESOLVED, that said proposed charter shall be submitted to the electors for approval or rejection at a special election warned and held for that purpose on February 17, 2009 between the hours of 6:00am and 8:00pm at the following polling locations:

_____	District 1	Town Hall	131 Cedar Street
_____	District 2	Ruth L. Chaffee School	160 Superior Avenue
_____	District 3	Anna Reynolds School	85 Reservoir Road
_____	District 4	Elizabeth Green School	30 Thomas Street
_____	District 5	John Wallace Middle School	71 Halleran Drive
_____	District 6	John Paterson School	120 Church Street
_____	District 7	Martin Kellogg Middle School	155 Harding Avenue
_____	District 8	John Wallace Middle School	71 Halleran Drive

Motion seconded by Councilor Boni.

Discussion followed. Deputy Mayor Lenares moved to amend the motion to make the referendum date one week later on February 24. Motion seconded by Councilor Nagel. Lengthy discussion followed regarding the referendum date and the fifteen-month period allowed by law to hold the referendum.

Councilor Nagel reread the motion as listed above, changing the date of the referendum to February 24, 2009. Motion seconded by Councilor Boni. Motion passed 5-4.

Roll Call Vote:

Councilor Banach - No
Councilor Boni – Yes
Councilor Bottalico – Yes
Councilor Bowen – No
Councilor Cohen – No
Councilor Lenares – Yes
Councilor Nagel – Yes
Councilor Nasinnyk – No
Mayor Wright – Yes

5 Establish Referendum Question

Deputy Mayor Lenares moved the following:

WHEREAS, a proposed charter shall be submitted to the electors for approval or rejection at a special election warned and held for that purpose on February 24, 2009; and

WHEREAS, pursuant to Connecticut General Statutes § 7-191 (f), the proposed charter shall be prepared for the ballot by the Town Council and may be submitted in the form of one question;

NOW THEREFORE BE IT RESOLVED, that the form of the one question on the ballot at the special election on February 24, 2009 warned and held for the purpose of approval or rejection of said proposed charter shall be in the following form:

- 1. “Shall the Town of Newington adopt the proposed charter that was approved by the Town Council on January 13, 2009 which includes a 3% tax cap, a budget referendum and an education circuit breaker?”**

Motion seconded by Councilor Bottalico. Lengthy discussion followed. Motion passed 5-4.

Roll Call Vote:

Councilor Banach - No

Councilor Boni – Yes
Councilor Bottalico – Yes
Councilor Bowen – No
Councilor Cohen – No
Councilor Lenares – Yes
Councilor Nagel – Yes
Councilor Nasinnyk – No
Mayor Wright – Yes

V WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC (none)

VI COUNCIL LIAISON/COMMITTEE REPORTS

- Councilor Nagel reported on the Safety Committee
- Mayor Wright reported on the Downtown Revitalization Committee

VII PUBLIC PARTICIPATION – IN GENERAL

Barbara Katzman, 5 Eckart Road: Ms. Katzman expressed disappointment with the results of the votes on the Charter revision and expressed concern over absentee ballots for the vote.

Gail Kelly, 104 Carriage Hill: Mrs. Kelly stated concern that no consideration was given to see if there is a conflict with the schools in scheduling the vote for February 24, 2009. She inquired as to why the Council is rushing the process.

Michael J. Fox, 1901 Main Street: Mr. Fox applauded Councilor Cohen for her attempts to show some reason in the process. He stated that this Charter revision will be a great loss for the Town.

Carol Anest, 30 Harding Avenue: Ms. Anest requested that the Council check with the Board of Education regarding the referendum date. She expressed disappointment in the Councilors who did not state their reasons for voting in favor of the Charter revision.

Sandy Lallier, 27 Elton Drive: Mrs. Lallier stated that what occurred at this meeting is a disgrace and stated that she hopes that people were watching the meeting. She stated that the process is a laughing stock.

Val Ginn: Ms. Ginn stated that she is disgusted with the outcome of the votes, and remarked that it is a slap in the face of the people. She expressed disappointment in being called a Republican.

Joyce Lozinski, 21 Red Rock Circle: Ms. Lozinski stated that she is ashamed with the outcome of the Council's vote and with the amount of money being wasted by holding the referendum in February when it could have been held along with the general election in November.

Rose Lyons, 46 Elton Drive: Ms. Lyons stated that this process has made involvement a sham and expressed disappointment in the Councilors who acted as "puppets" and didn't offer their own opinions.

VIII REMARKS BY COUNCILORS

The Councilors gave their statements regarding the Charter revision process.

XII ADJOURNMENT

Councilor Bottalico moved to adjourn the meeting at 10:55pm. Motion seconded by Councilor Bowen. Motion passed 9-0.

Respectfully Submitted,
Mrs. Jaime Trevethan
Clerk of the Council

NOTE: FULL VERSION OF THE MINUTES TO FOLLOW